IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 22ND MARCH 2007 / 1ST CHAITHRA 1929

WP(C).No. 30820 of 2004(R)

PETITIONER:

SHAJIMON, AGED 28, SON OF KUNJAPPAN,
RESIDING AT VAYIKKAL KUNNUMVILA PANDAKASHALA,
VALAKOM VILLAGE, KOTTARAKKARA TALUK,
KOLLAM DISTRICT.

BY ADV. SRI.JOHNSON GOMEZ

RESPONDENTS:

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1. THE STATE OF KERALA, DEPARTMENT OF
HOME AFFAIRS, REPRESENTED BY THE
SECRETARY TO GOVERNMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR GENERAL OF POLICE,
POLICE HEAD QUARTERS, THIRUVANANTHAPURAM.

3. THE DISTRICT SUPERINTENDENT OF POLICE,
KOLLAM.

4. THE SUB INSPECTOR OF POLICE,
KOTTARAKKARA POLICE STATION, KOTTARAKKARA.

5. SRI.RAJENDRAN, SUB INSPECTOR OF POLICE,
KOTTARAKKARA POLICE STATION,
KOTTARAKKARA.

6. JOHN JACOB ALIAS SUNIL,
PALODU PUTHEN VEEDU, NELLIKKUNNAM,
KOTTARAKKARA.

R1 TO 4 BY GOVERNMENT PLEADER SMT.SMITHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ORDERS ON 22/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.30820 of 2004

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Dated this the 22d day of March, 2007.

JUDGMENT

Petitioner's allegation is that the Sub Inspector of Police booked a bogus petty case against him for use of motor bike without records pertaining to it. Government Pleader submitted that petty case was registered as S.T. 3232/2004 before the Judicial First Class Magistrate's Court, Kottarakkara which released the vehicle to the petitioner on 6.10.2004. Counsel submitted that petitioner was acquitted in the case. If case booked against the petitioner was bogus, then the same may be reflected in the judgment of the Magistrate Court. In any case if bogus case is booked against the petitioner, it is for the petitioner to file suit for damages against the Police Officer concerned. The W.P. is closed with the above observation.

C.N.RAMACHANDRAN NAIR
Judge

pms